

Auditing an EMS for Conformance with EO 13423

Agenda

- Discussion of OFEE Clarification of Conformance Requirements
- Discussion of general EMS auditing and requirements of EO 13423
- Discussion of general auditing process and tools

Declaration of Conformance

- Facilities previously identified under E.O. 13148 as “appropriate facilities” and already underway with implementation as of the date of the E.O., shall ensure their EMS is fully implemented by December, 2008, ...
- **C. Declaration of Conformance**
- (1) Full implementation. For the purpose of conformance to E.O. 13423, an EMS shall be considered fully implemented when (1) it has been the subject of a formal audit by a qualified party outside the control or scope of the EMS, (2) audit findings have been recognized by the appropriate level of the agency implementing the EMS, and (3) the appropriate senior manager accountable for implementation of the EMS has declared conformance to EMS requirements.

Clarification – January 2008

- Reasons for the declaration process
 - Credible evidence that EMS is properly implemented
 - Someone senior is accountable for the EMS
- **Formal audit** – follows generally accepted practices for EMS audits
 - Audit plan, document review, physical audit for conformance to the Standard, consistency within the EMS and evidence of continual improvement, audit report and out-briefing with senior managers

Clarification (cont)

- **Qualified party:** Working knowledge of ISO 14001 and general auditing skills, good to have proper scientific background – team should have appropriate skill set and knowledge – nice to have formal lead auditor training
- **Outside the control or scope of the EMS:** independent and objective – not involved in the development of the EMS or day-to-day implementation

Clarification (cont)

- Findings recognized at appropriate level: information on whether the EMS is suitable, adequate and effective has been presented to senior management AND those individuals have followed through on the recommendations – corrective action is defined, planned and endorsed
- Appropriate senior manager declared conformance to EMS requirements: a signed statement or letter affirming the EMS has been properly developed and implemented consistent with the goals of EO 13423

Clarification (cont)

- Outside audits conducted every three years – declaration renewal up to each agency
- The audit is to see if the EMS is working properly and identify opportunities for improvement
- The management recognition ensures problems are addressed and improvement is proceeding
- The declaration process ensures those declaring have adequate basis for declaration and are accountable for the statement of conformance
- “Self declaration” and “first party audit” are no longer part of the federal EMS dialogue

Clarification

The screenshot shows a web browser window with the title "FedCenter - Clarification of Declaration of Conformance Requirements in Instructions to Executiv...". The browser's address bar shows the URL "http://www.fedcenter.gov/_kd/go.cfm?destination=ShowItem&Item_ID=8864". The website header features the FedCenter logo and the text "FedCenter.gov". A navigation bar includes links for Home, What's New, Program Areas, Assistance, Events, Training, Opportunities, Members, and Help. A search bar is located on the left side of the navigation bar. The main content area displays the title "Clarification of Declaration of Conformance Requirements in Instructions to Executive Order 13423" and a brief description: "This document, issued by OFEE, clarifies what is required in order to declare conformance with EO 13423." Below this, there is a link to the document: "Clarification of Declaration of Conformance Requirements in Instructions to Executive Order 134231.doc (48.13 KB)". Two boxes labeled "Item Attachments" and "Related Items" both state "There are no attachments." and "There are no related items." respectively. A "Please note:" section explains that the document is in Adobe's Portable Document Format (PDF) and requires the Adobe Acrobat Reader program. A "Members" section with a "Login" link is on the left. The footer contains links for Home, About Us, Site Map, Important Notices, Privacy, and Contact Us, along with the text "Last Updated: June 20, 2007". The Windows taskbar at the bottom shows the Start button, the FedCenter browser window, and the system clock displaying 11:44 AM.

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Clarification of Declaration of Conformance Requirements in Instructions to Executive Order 13423

This document, issued by OFEE, clarifies what is required in order to declare conformance with EO 13423.

[Clarification of Declaration of Conformance Requirements in Instructions to Executive Order 134231.doc](#) (48.13 KB)

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Environmental Management System Audit

A systematic and documented verification process of objectively obtaining and evaluating evidence to determine whether an organization's environmental management system conforms to the environmental management system audit criteria set by the organization, and for communication of the results of this process to management.

What is Required by EO 13423?

- EMS shall be reviewed and updated annually or more frequently, as appropriate,
- Conformance declaration by 12/08
- Once conformance has been declared, the EMS shall then be audited by a qualified party outside of the control or scope of the EMS at least every three years from the date of the initial declaration. Conformance declaration shall be renewed as appropriate based on agency guidance.

EMS Audit

- Performed by those with EMS auditing training/experience
- Addresses both documentation and implementation of the EMS
- Not a performance audit or a compliance audit
 - Does the system conform to set criteria?
 - Has EMS been properly implemented, maintained – continual improvement?
- Provides periodic “snap-shot” assessment to verify system
- Provides information to management and organization to allow continual improvement
- Goal is to improve the EMS!

Internal vs. External Audits

- Internal audits are conducted by participants of the EMS being audited (can be employees, or consultants as agents of the organization).
- External audits are conducted by auditors from outside the scope of the EMS in question (but can be from same organization).
- External, third party audits are conducted by independent, ISO 14000 registrars.
- **In all cases, audit should cover same elements!!!!**

Audit Criteria

Policies, practices, procedures or requirements against which the auditor compares collected audit evidence about the subject matter.

Requirements may include but are not limited to standards, guidelines, specified organizational requirements, and legislative or regulatory requirements.

Audit Evidence

Verifiable information, records or statements of fact.

Audit evidence, which can be qualitative or quantitative, is used by the auditor to determine whether audit criteria are met.

Audit evidence is typically based on interviews, examination of documents, observation of activities and conditions, existing results of measurements and tests or other means within the scope of the audit.

Audit Findings

Results of the evaluation of the collected audit evidence compared with the agreed audit criteria.

The audit findings provide the basis for the audit report.

Audit Conclusion

Professional judgement or opinion expressed by an auditor about the subject matter of the audit, based on and limited to reasoning the auditor has applied to audit findings.

AUDITING TOOLS AND TECHNIQUES

The Three C's of Auditing EMS

Conformance

Meets the requirements
(implements the “shalls”)

Consistency

Various elements inter-related
(e.g., significant aspects reflected in emergency planning)

Continual Improvement

Mechanisms in place to improve
(including fixing non-conformances and improving performance)

Basic Rules of Auditing

- Be objective - i.e., do not keep an audit going until you find a problem
- Be fair and consistent
- Stay focused on the criteria
- Stay within the scope and plan
- Remember, the audit is there to improve the EMS

Audit Planning

- Addresses the specifics of who, what, where, when, and how
- Identifies auditors
- Identifies when the audit(s) will occur
- Identifies what format, checklists, etc will be used
- Establishes specific agendas
- Must align with site procedure for auditing

Audit Approach

- Can do either all at one time, or divided up throughout the year.
- If divided, it is probably best to audit all EMS elements in various parts of the facility (e.g., motor pool, labs)
- Keep in mind the issue of consistency!

Audit Approach (cont.)

- Audits typically include:
 - Interviews
 - Site Reconnaissance
 - Records review
- In any type of audit, the auditor will compare evidence to criteria, and develop findings

Specific Evidence to Look For

- Consistency of identified aspects and observed aspects
- How activities match procedures
- Employee awareness of relevant EMS elements
- Addressing non-conformances through the non-conformance process
- Effectiveness and adequacy of the system.
- Clear top management commitment

Interview skills

- Attitude of the auditor
- Purpose of the interview
- Types of questions; open, closed, leading, antagonistic, vague
- “Tell me about”

Typical Questions of any Employee

1. What does the EMS policy say and what does it mean to you?
2. What is your familiarity with the EMS program?
3. What do you do in case of a procedural nonconformance?
4. What do you do in case of a emergency?
5. What kind of training have you received?
6. How do you communicate environmental concerns or ideas?
7. What do you do if you receive environmentally-related communication from external parties?

Typical Questions of Critical Operations

1. What are the significant aspects and impacts associated with your function?
2. How do you know what to do?
(Ask for procedures and operating criteria).
3. What specific training have you received?
4. What are the objectives and targets associated with your function?
5. What is your responsibility for monitoring and measurement activities?
6. What records do you keep?
7. (Any other specific questions prompted by answers 1-6 and/or specific circumstances?)

Types of Interviewees - Follow the Significant Aspect

- Facility management and management representatives
- Department managers
- EMP responsible parties
- Document control and record departments
- Engineering
- Operations employees (plant, administration)
- Human resources and training
- Contractor management and purchasing
- Security

What Auditors Look for in Terms of Documentation

- Does your documented system respond to the standard?
- Do the procedures describe what's really happening?
- Is the documentation controlled?
- Are all employees informed?
- Are the procedures followed, by everyone, all the time?
- Is there objective evidence that the procedures are being followed?

Typical Documents and Records to Review (by Element)

Aspects Procedures

- Aspects list
- Significant determination information
- Significant aspects/impacts list

Legal and Other Requirements

- Listings of applicable legal and other requirements
- Appropriate instructions for compliance
- Permits, manifests, etc.

Objectives and Targets and Environmental Management Programs

- Minutes/notes of objectives and target development
- List of objectives and targets
- Related action plans

Structure and Responsibility

- Job descriptions
- Organizational charts

Training Awareness and Competence

- Training needs listings/matrix
- Manuals, course materials
- Sign-in sheets
- Test records, certificate copies, etc.

Communication

- Specific work instructions
- Records of communication and correspondence

Document Control

- * Documents, procedures, and manuals

Operational Control

- * Critical operations/aspects listing/matrix
- * Specific work instructions
- * Environmental issues and instructions within other work instructions
- * Contractor policies, work orders, etc.
- * Supplier requirements

Emergency Preparedness and Response

- Emergency plans and protocols
- Practice and drill results

Monitoring and Measurement

- Objectives and target action plans
- Specific procedures and work instructions
- Records of monitoring and measurement data collected

Nonconformance, Corrective and Preventive Action

- Corrective actions reports
- Evidence of discussion and follow-up (meeting notes, etc.)

Records

- Records

EMS Audit

- Specific audit procedures, checklists, forms
- EMS audit notes and working documents
- EMS audit reports

Management Review

- ▢ Meeting agendas and attendance
- ▢ Meeting minutes and action items
- ▢ Evidence of follow-up actions, reports, etc.

Summary

- Ensure good auditing skills
- Remember the “three C’s”
 - Conformance, Consistency, Continual Improvement
- Let the standard be your guide
- Remember the goal is to improve the EMS

Resources

- Interviewing Techniques for Auditors – USDA course AUDT7012G
- Auditing guide on OFEE website:
http://ofee.gov/ems/training/EMS_INTERNAL_AUDITOR_TRAINING2.pdf
- www.FedCenter.gov